



**MINUTES  
NEW YORK STATE RACING AND WAGERING BOARD  
MEETING OF FEBRUARY 25, 2010**

**A meeting of the New York State Racing and Wagering Board was held on Thursday, February 25, 2010 at 1:00 p.m. at the Racing & Wagering Board's Schenectady Office located at 1 Broadway Center, Suite 600, Schenectady, New York.**

**The meeting was called to order at 1:04 p.m.**

**In Attendance Were:**

John D. Sabini, Chairman  
Daniel D. Hogan, Member  
Charles J. Diamond, Member  
Ronald G. Ochrym, Executive Director  
Robert Feuerstein, General Counsel  
Joseph Lynch, Director of Racing Operations  
Thomas Casaregola, Audits & Investigations  
Gail Pronti, Secretary to the Board

**Also in Attendance Were:**

Kenneth Council, Director of Administration  
Joseph Mahoney, NYSR&WB  
Kristen Buckley, NYSR&WB  
Vivian Davis, NYSR&WB  
John Googas, NYSR&WB  
Rick Goodell, NYSR&WB  
William Sekellick, NYSR&WB  
Stacy Harvey, NYSR&WB  
Clemente Parente, NYSR&WB  
James Crane, Crane, Parente  
Chris Duryea, Crane, Parente  
Nancy Lynn Ferrini, NYS Senate

**OPEN COMMENT PERIOD:** No comments were made.

- A. The Board approved the minutes of the Board meeting held on January 28, 2010. Board Member Diamond abstained from voting on this matter.

**B. ITEMS PREVIOUSLY APPROVED OR DEFERRED BY THE CHAIR**

1. **BUFFALO RACEWAY – REQUEST TO OFFER HARNESS HORSE HANDICAPPING CONTEST**

For entry into the minutes, on January 27, 2010, the New York State Racing and Wagering Board approved the January 25, 2010 Buffalo Trotting Association, Inc. request to conduct a harness handicapping contest with four qualifiers to be held on March 6, 13, 20 and 27, 2010, with the final on Saturday, April 10, 2010.

2. **BUFFALO RACEWAY – IMPORT OF VARIOUS LOCATIONS IN 2010**

For entry into the minutes, on January 28, 2010, the New York State Racing and Wagering Board approved an amendment to the Buffalo Trotting Association, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Freehold Raceway, New Jersey through February 28, 2010.

3. For entry into the minutes, on February 9, 2010, the New York State Racing and Wagering Board approved an amendment to the Buffalo Trotting Association, Inc. simulcast plan of operation authorizing participation in the one Kentucky Oaks and the three Kentucky Derby future pools on the year 2010 Kentucky Oaks to be run on April 30 and the Kentucky Derby to be run on May 1, 2010 at Churchill Downs, Kentucky.

4. For entry into the minutes, on February 9, 2010, the New York State Racing and Wagering Board approved an amendment to the Buffalo Trotting Association, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Saratoga Harness Racing, Inc., New York during the year 2010.

5. For entry into the minutes, on February 9, 2010, the New York State Racing and Wagering Board approved an amendment to the Buffalo Trotting Association, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from:

1. Balmoral Park, Illinois through December 29, 2010
2. Maywood Park, Illinois through December 31, 2010.

6. For entry into the minutes, on February 9, 2010, the New York State Racing and Wagering Board approved an amendment to the Buffalo Trotting Association, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Mountaineer Park, Inc., West Virginia from March 1 through December 29, 2010.

7. **BUFFALO RACEWAY – EXPORT TO VARIOUS LOCATIONS IN 2010**  
For entry into the minutes, on January 15, 2010, the New York State Racing and Wagering Board approved the Buffalo Trotting Association, Inc. request to simulcast its harness racing programs for wagering purposes from January 15 through July 25, 2010 to:
1. Lien Games Racing, LLC (with five [5] physical secondary sites and the site BetAmerica.com only), North Dakota
  2. Racing & Gaming Services (RGS), St. Kitts, West Indies
  3. The Racing Network International (with ten [10] secondary sites), Pennsylvania.
8. For entry into the minutes, on January 15, 2010, the New York State Racing and Wagering Board approved the Buffalo Trotting Association, Inc. request to simulcast its harness racing programs for wagering purposes from January 15 through July 25, 2010 to BetPad, Oregon.
9. For entry into the minutes, on January 15, 2010, the New York State Racing and Wagering Board approved the Buffalo Trotting Association, Inc. request to simulcast its standardbred racing programs for wagering purposes from January 15 through July 25, 2010 to:
1. Finger Lakes Racing Association, Inc., New York
  2. Yonkers Raceway, New York.
10. For entry into the minutes, on January 15, 2010, the New York State Racing and Wagering Board approved the Buffalo Trotting Association, Inc. request to simulcast its standardbred racing program for wagering purposes from January 15 through July 25, 2010 to:
1. Colonial Downs (with ten [10] secondary sites), Virginia
  2. Mount Pleasant Meadows, Michigan
  3. Presque Isle Downs, Pennsylvania
  4. Scioto Downs, Ohio
  5. River Downs, Ohio
  6. Rosecroft, Maryland
  7. Running Aces Harness Park, Minnesota.
11. For entry into the minutes, on January 15, 2010, the New York State Racing and Wagering Board approved the Buffalo Trotting Association, Inc. request to simulcast its harness racing programs for wagering purposes from January 15 through July 25, 2010 to:
1. AmWest Entertainment, LLC (with three [3] secondary sites), Kentucky
  2. Global Wagering Solutions, Pennsylvania (limited to the following five [5] sites,
    - RaceBets GmbH-Europe;
    - German Tote GmbH & Co. KG Europe;
    - Newcote Services Limited (dba Victor Chandler) Worldwide excluding US;
    - Magna Racino Veranstaltungen GmbH – Austria;
    - CashPoint (Malta) limited – Europe.

12. For entry into the minutes, on January 15, 2010, the New York State Racing and Wagering Board approved the Buffalo Trotting Association, Inc. request to simulcast its standardbred racing program for wagering purposes from January 15 through July 25, 2010 to:
  1. Scarborough Downs, Maine
  2. Freehold Raceway (with one [1] secondary site), New Jersey
  3. Wheeling Island, West Virginia
  4. Plainridge Race Course, Massachusetts.
13. For entry into the minutes, on January 15, 2010, the New York State Racing and Wagering Board approved the Buffalo Trotting Association, Inc. request to simulcast its harness racing programs for wagering purposes from January 15 through July 25, 2010 to Track Net Media Group, Kentucky and all tracks and sites associated with Track Net which were submitted and specified previously for or during 2009. No simulcast or transmission is authorized for the purposes of display on HRTV or any equivalent mode of broadcast, cable distribution or satellite distribution.
14. For entry into the minutes, on January 15, 2010, the New York State Racing and Wagering Board approved the Buffalo Trotting Association, Inc. request to simulcast its harness racing programs for wagering purposes from January 15 through July 25, 2010 to Phumelela Gold International, Isle of Man.
15. For entry into the minutes, on January 15, 2010, the New York State Racing and Wagering Board approved the Buffalo Trotting Association, Inc. request to simulcast its harness racing programs for wagering purposes from January 15 through July 25, 2010 to ODS Technologies, L.P. d/b/a TVG.
16. For entry into the minutes, on January 15, 2010, the New York State Racing and Wagering Board approved the Buffalo Trotting Association, Inc. request to simulcast its standardbred racing programs for wagering purposes to Nassau Regional Off-Track Betting Corporation, New York through July 25, 2010.
17. For entry into the minutes, on January 21, 2010, the New York State Racing and Wagering Board approved the Buffalo Trotting Association, Inc. request to simulcast its harness racing programs for wagering purposes through July 25, 2010 to European Wagering Services, Isle of Man and its related Web Sites:  
[www.link2bet.com](http://www.link2bet.com)  
[www.totebet.com](http://www.totebet.com).
18. For entry into the minutes, on January 21, 2010, the New York State Racing and Wagering Board approved the Buffalo Trotting Association, Inc. request to simulcast its harness racing programs for wagering purposes to Las Vegas Dissemination Company for wagering purposes at seven [7] specified sites, Nevada through July 25, 2010.
19. For entry into the minutes, on January 21, 2010, the New York State Racing and Wagering Board approved the Buffalo Trotting Association, Inc. request to simulcast its standardbred racing program for wagering purposes to Harrington Raceway, Delaware through July 25, 2010.

20. For entry into the minutes, on January 21, 2010, the New York State Racing and Wagering Board approved the Buffalo Trotting Association, Inc. request to simulcast its harness racing programs for wagering purposes through July 25, 2010 to:
- eBet Technologies Inc., Oregon and the following related Web Sites:  
[www.compubet.com](http://www.compubet.com)  
[www.australianracing.com](http://www.australianracing.com)  
[www.horseplayersbet.com](http://www.horseplayersbet.com)  
[www.jump2bet.com](http://www.jump2bet.com).
21. For entry into the minutes, on January 28, 2010, the New York State Racing and Wagering Board approved the Buffalo Trotting Association, Inc. request to simulcast its harness racing programs for wagering purposes during the year 2010 to the following three [3] additional secondary sites associated with the previously approved simulcasts to Global Wagering Solutions:
1. International Betting Association Ltd.- Europe
  2. MagnaBet-Austria and Germany
  3. Pferdewetten.deGmbH-Europe and South America.
22. For entry into the minutes, on February 9, 2010, the New York State Racing and Wagering Board approved the Buffalo Trotting Association, Inc. request to simulcast its harness racing programs for wagering purposes Sol Mutuel Ltd, Grenada through July 25, 2010.
23. For entry into the minutes, on February 9, 2010, the New York State Racing and Wagering Board approved the Buffalo Trotting Association, Inc. request to simulcast its standardbred racing program for wagering purposes to Hawthorne Race Course (with thirty two [32] secondary sites), Illinois through July 25, 2010.
24. **CAPITAL DISTRICT REGIONAL OTB – FEBRUARY 2010 PROMOTIONS**  
For entry into the minutes, on January 21, 2010, the New York State Racing and Wagering Board approved the January 19, 2010 application by the Capital District Regional Off-Track Betting Corporation to conduct the specified promotions during the month of February 2010.
25. **CAPITAL DISTRICT REGIONAL OTB – REQUEST TO HOLD CHALLENGE HANDICAPPING CONTEST**  
For entry into the minutes, on January 21, 2010, the New York State Racing and Wagering Board approved the January 4, 2010 application by the Capital District Regional Off-Track Betting Corporation to conduct the Winter Challenge Handicapping contest on Saturday, March 20 and Sunday, March 21, 2010 at the Albany Teletheater.
26. **CAPITAL DISTRICT REGIONAL OTB – ADDED PROMOTION FOR JANUARY 2010**  
For entry into the minutes, on January 22, 2010, the New York State Racing and Wagering Board approved the January 20, 2010 application by the Capital District Regional Off-Track Betting Corporation to conduct a two hundred (\$200.00) dollar “Knockout Challenge” handicapping contest on Thursday January 28, 2010.

27. **CAPITAL DISTRICT REGIONAL OTB – IMPORT OF VARIOUS LOCATIONS IN 2010**  
For entry into the minutes, on January 21, 2010, the New York State Racing and Wagering Board approved an amendment to the Capital District Regional OTB Corporation simulcast plan of operation authorizing the simulcast for wagering purposes of races from Beulah Park, Ohio through May 1, 2010.
28. For entry into the minutes, on January 21, 2010, the New York State Racing and Wagering Board approved an amendment to the Capital District Regional OTB Corporation simulcast plan of operation authorizing the simulcast for wagering purposes of races from Yonkers Raceway, New York through December 31, 2010.
29. **CATSKILL REGIONAL OTB – CLOSURE OF ROAD HOUSE BAR AND GRILL – AIRMONT, NY**  
For entry into the minutes, on February 9, 2010, the New York State Racing and Wagering Board approved an amendment to the Catskill Regional Off-Track Betting Corporation plan of operation to reflect the closure of its betting operation within the Road House Bar and Grill, Airmont, N.Y. no later than February 28, 2010.
30. **CATSKILL REGIONAL OTB – IMPORT OF VARIOUS LOCATIONS IN 2010**  
For entry into the minutes, on January 27, 2010, the New York State Racing and Wagering Board approved amendments to the plans of operation of Catskill Regional Off-Track Betting Corporation and Western Regional Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from Hawthorne Race Course, Illinois through April 25, 2010.
31. **MONTICELLO RACEWAY –IMPORT OF VARIOUS LOCATIONS IN 2010**  
For entry into the minutes, on January 22, 2010, the New York State Racing and Wagering Board approved an amendment to the Monticello Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Northville Downs, Michigan through July 31, 2010.
32. For entry into the minutes, on January 27, 2010, the New York State Racing and Wagering Board approved an amendment to the Monticello Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Hawthorne Race Course, Illinois through April 25, 2010.
33. For entry into the minutes, on January 27, 2010, the New York State Racing and Wagering Board approved an amendment to the Monticello Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Freehold Raceway, New Jersey through February 28, 2010.
34. For entry into the minutes, on January 28, 2010, the New York State Racing and Wagering Board approved an amendment to the Monticello Raceway Mgmt, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Saratoga Harness Racing, Inc., New York during the year 2010.

35. **MONTICELLO RACEWAY – EXPORT TO VARIOUS LOCATIONS IN 2010**  
For entry into the minutes, on January 15, 2010, the New York State Racing and Wagering Board approved the Monticello Raceway Mgmt, Inc. request to simulcast its harness racing programs for wagering purposes during the year 2010 to:
1. Racing & Gaming Services (RGS), St. Kitts, West Indies
  2. Global Wagering Solutions, Pennsylvania (limited to the following five [5] sites:
    - RaceBets GmbH-Europe;
    - German Tote GmbH & Co. KG Europe;
    - Newcote Services Limited (dba Victor Chandler) Worldwide excluding US;
    - Magna Racino Veranstaltungen GmbH – Austria;
    - CashPoint (Malta) limited – Europe.
36. For entry into the minutes, on January 15, 2010, the New York State Racing and Wagering Board approved the Monticello Raceway Mgmt, Inc. request to simulcast its harness racing programs for wagering purposes during the year 2010 to Lien Games Racing, LLC (with five [5] physical secondary sites and the site BetAmerica.com only), North Dakota.
37. For entry into the minutes, on January 21, 2010, the New York State Racing and Wagering Board approved the Monticello Raceway Mgmt, Inc. request to simulcast its harness racing programs for wagering purposes during the year 2010 to eBet Technologies (with five [5] approved sites), Oregon.
38. For entry into the minutes, on January 22, 2010, the New York State Racing and Wagering Board approved the request of Monticello Raceway Mgmt, Inc. to provide official race replays during 2010 to the following sites for the specific purposes set forth in agreements dated January 18 and 19, 2010:
1. The Harness Horse Breeders of New York
  2. The Horsemen Publishing Company, Kentucky.
39. For entry into the minutes, on January 22, 2010, the New York State Racing and Wagering Board approved the Monticello Raceway Mgmt, Inc. request to simulcast its harness racing programs for wagering purposes during the year 2010 to Sol Mutuel Limited, Grenada.
40. For entry into the minutes, on January 27, 2010, the New York State Racing and Wagering Board approved the Monticello Raceway Mgmt, Inc. request to simulcast its standardbred racing programs for wagering purposes for the year 2010 to the following secondary site, Foxwoods Resort Casino, Connecticut, associated with the previously approved simulcasts to Las Vegas Dissemination Company.
41. For entry into the minutes, on January 28, 2010, the New York State Racing and Wagering Board approved the Monticello Raceway Mgmt, Inc. request to simulcast its harness racing programs for wagering purposes during the year 2010 to the following three [3] additional secondary sites associated with the previously approved simulcasts to Global Wagering Solutions:

1. International Betting Association Ltd.- Europe
  2. MagnaBet-Austria and Germany
  3. Pferdewetten.deGmbH-Europe and South America.
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42. For entry into the minutes, on January 29, 2010, the New York State Racing and Wagering Board approved the Monticello Raceway Mgmt, Inc. request to simulcast its harness racing programs for wagering purposes to ODS Technologies L.P. d/b/a TVG Network, Delaware through December 31, 2010. This approval excluded any domestic or international primary or secondary sites other than TVG Network and its direct account wagering component.
  43. For entry into the minutes, on February 9, 2010, the New York State Racing and Wagering Board approved the Monticello Raceway Mgmt, Inc. request to simulcast its harness racing programs for wagering purposes during the year 2010 to Suffolk Regional Off-Track Betting Corporation, New York.
  44. **NASSAU REGIONAL OTB – REQUEST TO OFFER PONIES AND PIGSKIN CONTEST**  
For entry into the minutes, on January 15, 2010, the New York State Racing and Wagering Board approved the January 11, 2010 Nassau Downs Regional Off-Track Betting Corporation request to conduct the “Ponies and Pigskin Contest” on Super Bowl Sunday, February 7, 2010.
  45. **NASSAU REGIONAL OTB – REQUEST TO OFFER PROMOTIONS AT TWO BRANCHES**  
For entry into the minutes, on January 15, 2010, the New York State Racing and Wagering Board approved the January 6, 2010 Nassau Downs Regional Off-Track Betting Corporation request to amend their plan of operation to conduct two betting promotions associated with the closures of the North Lawrence and the Green Acres branches.
  46. **NASSAU REGIONAL OTB – BRANCH CLOSURE - HEMPSTEAD BRANCH**  
For entry into the minutes, on January 27, 2010, the New York State Racing and Wagering Board approved the Nassau Downs Regional Off-Track Betting Corporation request to amend their plan of operation to reflect the closure of the Hempstead branch located at 220 Fulton Avenue. The branch will close for wagering purposes after March 7, 2010 with permanent closure after March 14, 2010.
  47. **NASSAU REGIONAL OTB – IMPORT OF VARIOUS LOCATIONS IN 2010**  
For entry into the minutes, on January 15, 2010, the New York State Racing and Wagering Board approved amendments to the plans of operation of Nassau Regional Off-Track Betting Corporation and Suffolk Regional Off-Track Betting Corporation, authorizing the simulcast for wagering purposes of races from Cal-Expo, California through June 19, 2010.



48. For entry into the minutes, on January 15, 2010, the New York State Racing and Wagering Board approved amendments to the plans of operation of Nassau Regional Off-Track Betting Corporation and Suffolk Regional Off-Track Betting Corporation, authorizing the simulcast for wagering purposes of races from Freehold Raceway, New Jersey through January 31, 2010.
49. For entry into the minutes, on January 21, 2010, the New York State Racing and Wagering Board approved amendments to the plans of operation of Nassau Regional Off-Track Betting Corporation, Capital District Off-Track Betting Corporation, Catskill Regional Off-Track Betting Corporation, Suffolk Regional Off-Track Betting Corporation and Western Regional Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from Delta Downs, Louisiana through March 20, 2010.
50. For entry into the minutes, on January 28, 2010, the New York State Racing and Wagering Board approved amendments to the plans of operation of Nassau Regional Off-Track Betting Corporation and Suffolk Regional Off-Track Betting Corporation, authorizing the simulcast for wagering purposes of races from Beulah Park, Ohio through May 1, 2010.
51. For entry into the minutes, on February 9, 2010, the New York State Racing and Wagering Board approved an amendment to the plan of operation of Nassau Regional Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from Freehold Raceway, New Jersey through February 28, 2010.
52. For entry into the minutes, on February 9, 2010, the New York State Racing and Wagering Board approved amendments to the plans of operation of each New York State off-track betting corporation authorizing the simulcast for wagering purposes of races from Sunland Park Racetrack and Casino, New Mexico during the year 2010.
53. **NEW YORK CITY OTB –IMPORT OF VARIOUS LOCATIONS IN 2010**  
For entry into the minutes, on January 27, 2010, the New York State Racing and Wagering Board approved amendments to the plans of operation of each New York State off-track betting corporation authorizing the simulcast for wagering purposes of races from Meydan Race Course, Dubai, United Emirates via the auspices of AmWest Entertainment LLC from January 28 through March 5 and the Dubai World Cup Day on March 27, 2010.
54. For entry into the minutes, on February 9, 2010, the New York State Racing and Wagering Board approved amendments to the plans of operation of each New York State off-track betting corporation authorizing the simulcast for wagering purposes of races from Sam Houston Race Park, Texas through April 3, 2010.
55. **NYRA – EXTENSION OF ALLOWANCE - APPRENTICE JOCKEY  
JACQUELINE DAVIS**  
For entry into the minutes, on January 20, 2010, the New York State Racing and Wagering Board approved an extension to the apprenticeship year of Jacqueline Davis for an additional twenty-eight (28) days from January 21, 2010 until February 17, 2010. Her jockey's apprentice allowance will expire on February 17, 2010.

56. **NYRA – REQUEST TO ADD A DAY OF RACING – JUNE 2, 2010**  
For entry into the minutes, on January 21, 2010, the New York State Racing and Wagering Board approved the January 19, 2010 New York Racing Association request to offer a further day of live racing at Belmont Park on Wednesday, June 2, 2010.
57. **NYRA – IMPORT OF VARIOUS LOCATIONS IN 2010**  
For entry into the minutes, on January 29, 2010, the New York State Racing and Wagering Board approved an amendment to the New York Racing Association simulcast plan of operation authorizing the simulcast for wagering purposes of races from Hawthorne Race Course, Illinois from February 12 through April 25, 2010.
58. For entry into the minutes, on February 9, 2010, the New York State Racing and Wagering Board approved an amendment to the New York Racing Association simulcast plan of operation authorizing the simulcast for wagering purposes of races from Meydan Race Course, Dubai, United Emirates via the auspices of AmWest Entertainment LLC on March 27, 2010, Dubai World Cup Day.
59. **SARATOGA HARNESS – IMPORT OF VARIOUS LOCATIONS IN 2010**  
For entry into the minutes, on January 27, 2010, the New York State Racing and Wagering Board approved an amendment to the Saratoga Gaming and Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Freehold Raceway, New Jersey through February 28, 2010.
60. For entry into the minutes, on February 9, 2010, the New York State Racing and Wagering Board approved an amendment to the Saratoga Gaming and Raceway simulcast plan of operation authorizing participation in the one Kentucky Oaks and the three Kentucky Derby future pools on the year 2010 Kentucky Oaks to be run on April 30 and the Kentucky Derby to be run on May 1, 2010 at Churchill Downs, Kentucky.
61. For entry into the minutes, on February 9, 2010, the New York State Racing and Wagering Board approved an amendment to the Saratoga Gaming and Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from:
1. Balmoral Park, Illinois through December 29, 2010
  2. Maywood Park, Illinois through December 31, 2010.
62. **SARATOGA HARNESS – EXPORT TO VARIOUS LOCATIONS IN 2010**  
For entry into the minutes, on February 9, 2010, the New York State Racing and Wagering Board approved the Saratoga Harness Racing, Inc. request to simulcast its harness racing programs for wagering purposes from March 5 through December 12, 2010 to:
1. Buffalo Trotting Association, New York
  2. Finger Lakes Racing Association Inc., New York
  3. Tioga Downs, New York
  4. Vernon Downs, New York
  5. Monticello Raceway, New York.

63. For entry into the minutes, on February 9, 2010, the New York State Racing and Wagering Board approved the Saratoga Harness Racing, Inc. request to simulcast its standardbred racing programs for wagering purposes from March 5 through December 12, 2010 to:
  1. Delaware Park, Ohio
  2. Sunland Park Racetrack & Casino, New Mexico
  3. Harrington Raceway Inc., Delaware
  4. Indiana Downs (with two [2] secondary sites), Indiana
  5. Lewiston Raceways, Inc. (with four [4] secondary sites), Maine
  6. Pompano Park (with twenty [20] secondary sites), Florida.
  
64. For entry into the minutes, on February 9, 2010, the New York State Racing and Wagering Board approved the Saratoga Harness Racing, Inc. request to simulcast its standardbred racing programs for wagering purposes from March 5 through December 12, 2010 to:
  1. Northfield Park, Ohio
  2. Penn National Gaming, Inc. (with eleven [11] secondary sites), Pennsylvania
  3. Philadelphia Park (with eight [8] secondary sites), Pennsylvania
  4. NJSEA ( Meadowlands/Monmouth with three [3] secondary sites), New Jersey
  5. Ocean Downs (with one [1] secondary site), Maryland.
  
65. For entry into the minutes, on February 10, 2010, the New York State Racing and Wagering Board approved the Saratoga Harness Racing, Inc. request to simulcast its harness racing programs for wagering purposes from March 5 through December 12, 2010 to:
  1. eBet Technologies, Inc. (with five [5] secondary sites), Oregon
  2. Global Wagering Solutions (with ten [10] secondary sites excluding Bwin International Ltd, Gibraltar), Europe
  3. US Off-Track, LLC (with three [3] secondary sites), Oregon.
  
66. For entry into the minutes, on February 10, 2010, the New York State Racing and Wagering Board approved the Saratoga Harness Racing, Inc. request to simulcast its harness racing programs for wagering purposes from March 5 through December 12, 2010 to:
  1. AmWest Entertainment LLC (with four [4] secondary sites), Oregon
  2. Autotote Enterprises Inc. (with fourteen [14] secondary sites), Connecticut
  3. Day at The Track, Idaho
  4. Premier Turf Club, Oregon
  5. Sol Mutuel Ltd, Grenada.
  
67. For entry into the minutes, on February 10, 2010, the New York State Racing and Wagering Board approved the Saratoga Harness Racing, Inc. request to simulcast its standardbred racing programs for wagering purposes to The Lodge at Belmont, New Hampshire from March 5 through December 12, 2010.

68. **TIOGA DOWNS – REQUEST TO CONDUCT HANDICAPPING CONTEST**  
For entry into the minutes, on January 28, 2010, the New York State Racing and Wagering Board approved the January 20, 2010 request of American Racing-Tioga Downs, Inc. to conduct a handicapping contest to select the horse that will officially finish first in each race from Aqueduct Racetrack on Saturday, February 13, 2010.
69. **TIOGA DOWNS – IMPORT OF VARIOUS LOCATIONS IN 2010**  
For entry into the minutes, on January 27, 2010, the New York State Racing and Wagering Board approved an amendment to the Tioga Downs simulcast plan of operation authorizing the simulcast for wagering purposes of races from Freehold Raceway, New Jersey through February 28, 2010.
70. For entry into the minutes, on February 9, 2010, the New York State Racing and Wagering Board approved an amendment to the Tioga Downs simulcast plan of operation authorizing the simulcast for wagering purposes of races from Saratoga Harness Racing, Inc., New York during the year 2010.
71. **VERNON DOWNS –REQUEST TO CONDUCT HANDICAPPING CONTEST**  
For entry into the minutes, on January 28, 2010, the New York State Racing and Wagering Board approved the January 20, 2010 request of American Racing-Vernon Downs, Inc. to conduct a handicapping contest to select the horse that will officially finish first in each race from Aqueduct Racetrack on Saturday, February 13, 2010.
72. **VERNON DOWNS –IMPORT OF VARIOUS LOCATIONS IN 2010**  
For entry into the minutes, on January 27, 2010, the New York State Racing and Wagering Board approved an amendment to the Vernon Downs simulcast plan of operation authorizing the simulcast for wagering purposes of races from Freehold Raceway, New Jersey through February 28, 2010.
73. For entry into the minutes, on February 9, 2010, the New York State Racing and Wagering Board approved an amendment to the Vernon Downs simulcast plan of operation authorizing the simulcast for wagering purposes of races from Saratoga Harness Racing, Inc., New York during the year 2010.
74. **WESTERN REGIONAL OTB/BATAVIA DOWNS –PROMOTIONS**  
For entry into the minutes, on January 28, 2010, the Board approved the January 22, 2010 Western Regional Off-Track Betting Corporation requests to conduct the following promotions:
1. “Pick the Super Bowl Score” contest from January 27 through February 3, 2010.
  2. “Battle of the Branches” handicapping contest.
  3. OTB’s Valentine Sweetheart Deal
  4. A series of thirty-six (36) free handicapping contests.

75. **WESTERN REGIONAL OTB/BATAVIA DOWNS – IMPORT OF VARIOUS LOCATIONS IN 2010**  
For entry into the minutes, on January 27, 2010, the New York State Racing and Wagering Board approved an amendment to the Western Regional Off-Track Betting Corporation and Batavia Downs simulcast plans of operation authorizing the simulcast for wagering purposes of races from Freehold Raceway, New Jersey through February 28, 2010.
76. **YONKERS RACEWAY – ADDITION OF TWO SUPERFECTAS**  
For entry into the minutes, on January 28, 2010, the Board approved the January 20, 2010 Yonkers Raceway request to add two superfectas to each daily racing card on races five and ten. The complete order of superfectas for Yonkers Raceway will now be races three, five, seven, ten and twelve. This change is effective immediately.
77. **YONKERS RACEWAY – IMPORT OF VARIOUS LOCATIONS IN 2010**  
For entry into the minutes, on January 15, 2010, the New York State Racing and Wagering Board approved an amendment to the Yonkers Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Western Fair Raceway, Ontario, Canada during the year 2010.
78. For entry into the minutes, on January 21, 2010, the New York State Racing and Wagering Board approved an amendment to the Yonkers Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Harrah’s Louisiana Downs (Quarter Horse Meet), Louisiana through March 24, 2010.
79. For entry into the minutes, on January 21, 2010, the New York State Racing and Wagering Board approved an amendment to the Yonkers Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Georgian Downs Limited, Ontario, Canada through December 31, 2010.
80. For entry into the minutes, on February 9, 2010, the New York State Racing and Wagering Board approved an amendment to the Yonkers Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Saratoga Harness Racing, Inc., New York during the year 2010.
81. For entry into the minutes, on February 9, 2010, the New York State Racing and Wagering Board approved an amendment to the Yonkers Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Freehold Raceway through February 28, 2010.
82. For entry into the minutes, on February 10, 2010, the New York State Racing and Wagering Board approved an amendment to the Yonkers Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Meydan Race Course, Dubai, United Emirates via the auspices of AmWest Entertainment LLC, in particular the Dubai International Racing Carnival that runs through March 5 and the Dubai World Cup Day on March 27, 2010.

83. **YONKERS RACEWAY – EXPORT TO VARIOUS LOCATIONS IN 2010**  
For entry into the minutes, on January 15, 2010, the New York State Racing and Wagering Board approved Yonkers Raceway’s request to simulcast its harness racing programs for wagering purposes to Bangor Raceway, Maine through December 31, 2010.
84. For entry into the minutes, on January 15, 2010, the New York State Racing and Wagering Board approved Yonkers Raceway’s request to simulcast its harness racing programs for wagering purposes to:
1. Lien Games Racing, LLC (with five [5] physical secondary sites and the site BetAmerica.com only), North Dakota
  2. Premier Turf Club, LLC, Oregon through December 31, 2010.
85. For entry into the minutes, on January 21, 2010, the New York State Racing and Wagering Board approved Yonkers Raceway’s request to simulcast its harness racing programs for wagering purposes to Sports Creek Raceway, Michigan through December 31, 2010.
86. For entry into the minutes, on January 21, 2010, the New York State Racing and Wagering Board approved Yonkers Raceway’s request to simulcast its harness racing programs for wagering purposes through 2010 to:
- eBet Technologies Inc., Oregon and the following related Web Sites:  
[www.compubet.com](http://www.compubet.com)  
[www.australianracing.com](http://www.australianracing.com)  
[www.horseplayersbet.com](http://www.horseplayersbet.com)  
[www.jump2bet.com](http://www.jump2bet.com).
87. For entry into the minutes, on January 21, 2010, the New York State Racing and Wagering Board approved Yonkers Raceway’s request to simulcast its harness racing programs for wagering purposes to the following three (3) Atlantic City Casinos New Jersey through December 31, 2010;
- Harrah’s Resort Atlantic City
  - Trump Taj Mahal Casino Resorts
  - The Borgata.
88. For entry into the minutes, on January 22, 2010, the New York State Racing and Wagering Board approved Yonkers Raceway’s request to simulcast its harness racing programs for wagering purposes to BetPad, Ltd., Oregon through December 31, 2010.
89. For entry into the minutes, on January 22, 2010, the New York State Racing and Wagering Board approved Yonkers Raceway’s request to simulcast its standardbred racing programs for wagering purposes for the year 2010 to the following sites associated with the previously approved simulcasts to Atlantic City Casinos, New Jersey:
1. Bally’s Atlantic City
  2. Caesar’s Atlantic City
  3. Showboat Atlantic City.

90. For entry into the minutes, on January 28, 2010, the New York State Racing and Wagering Board approved Yonkers Raceway's request to simulcast its harness racing programs for wagering purposes to Phumelela Gold International, Ltd. with two [2] specified sites, Douglas, Isle of Man through December 31, 2010.
91. For entry into the minutes, on February 9, 2010, the New York State Racing and Wagering Board approved Yonkers Raceway's request to simulcast its harness racing programs for wagering purposes to Sam Houston Race Park (with two [2] secondary sites), Texas through December 31, 2010.

**C. ITEMS PREVIOUSLY APPROVED, DENIED OR DEFERRED BY THE BOARD**

**1. 2005 MAINTENANCE OF EFFORT 1017.2.a REVISED OWED TO YONKERS FROM NASSAU OTB**

On December 15, 2009, the New York State Racing and Wagering Board had approved the schedules referenced in Section 1017.2(a) of the Racing Pari-Mutuel Wagering and Breeding Law for 2004-2008 as submitted by Nassau Regional Off-Track Betting Corporation.

Subsequent to the Board's approval a clerical error was identified in the summary of the schedule submitted by Nassau Regional Off-Track Betting Corporation. That summary was used to determine the payment to Yonkers Raceway for 2005 and resulted in an error in the calculation of the amount due to Yonkers Raceway.

On January 25, 2010, the Board amended the December 15, 2009 approval to reflect the corrected amount of \$892,519 that is owed to Yonkers Raceway for the 2005 year by Nassau Regional Off-Track Betting Corporation in accordance with Section 1017.2.(a) of the Racing, Pari-Mutuel Wagering and Breeding Law.

The Board directed and required that this payment be made no later than sixty (60) calendar days after December 15, 2009, which is the same time frame directed on December 15 2009 for the erroneously stated higher amount.

**2. IN THE MATTER OF SPIMOS ENTERPRISES, INC. - SUMMARY SUSPENSION**

For entry into the minutes, on February 4, 2010, the New York State Racing and Wagering Board summarily suspended the commercial lessor license of Spimos Enterprises, Inc. upon a finding that it had intentionally, wrongfully, and systematically failed to report numerous bingo occasions that occurred at its commercial bingo hall, the 82 Bingo Hall, located at 82-18 Northern Boulevard, Jackson Heights, NY, in violation of 9 NYCRR Section 5822.15.

**3. AUTHORIZATION FOR 9-HORSE FIELDS AT SARATOGA RACEWAY IN 2010**

For entry into the minutes, on February 8, 2010, the New York State Racing and Wagering Board authorized Saratoga Harness Racing, Inc. to use nine (9) horse fields in overnight races during the 2010 racing season at Saratoga Gaming and Raceway.

The Board issued a Directive, which provides details and conditions for the authorization. The Board's approval was conditioned on upon compliance with this Directive.

**4. DELEGATION TO CHAIRMAN – JOHN D. SABINI**

For entry into the minutes, on February 23, 2010, following the appointment of Board Member Charles J. Diamond, the Board delegated to Chairman John D. Sabini, the power to act concerning certain categories of requests for Board approval.

Approvals of the following are appropriate for individual Chairman determination:

1. Approval of simulcasts. These include approvals for tracks to send simulcasts out-of-state, approval for the receipt of simulcasts from out-of-state tracks, approval for simulcasting from tracks to off-track betting corporations, approval for intra-state simulcasting, and approval of in-home simulcasts;
2. Promotional requests. These include approvals of promotional giveaways, handicapping contests, off-track betting admissions, and other events incidental to the conduct of racing or the simulcasting of horse racing;
3. Changes in the wagering format. These include approvals of changes in post-time, changes in racing dates, changes in the number of races on a program, and changes in the types of wagers offered at tracks;
4. Changes in OTB plans of operation limited to approvals of concessionaires, the closing of branches, the addition of simulcasting to an existing branch, and including those matters set forth in categories 1 and 2 above;
5. Approval of apprentice jockey extension allowances; and
6. Individual changes in the roster of racing officials at the thoroughbred tracks.

The following require action of the full Board:

1. Proposal and Adoption of Rules;
2. Annual track license applications;
3. Annual simulcast facility licenses;
4. Annual totalisator company and other service provider licenses pursuant to 9 NYCRR Part 5100;
5. Reports of hearing officers;
6. Summary suspensions;
7. Use of capital improvement funds;
8. Requests for opinions of the Attorney General;
9. Assessment formulae and by-law amendments of the Jockey Injury Compensation Fund, Inc.;
10. Initial annual roster of racing officials at the thoroughbred tracks; and
11. All other matters not specifically delegated to the Chairman.

**D. ITEMS TO BE APPROVED, DENIED OR DEFERRED BY THE BOARD**

**1. YONKERS RACEWAY – 2010 TRACK & SIMULCAST LICENSE APPLICATIONS**

The New York State Racing and Wagering Board assigned to Yonkers Raceway the race dates requested for the month of March 2010 only.



2. **FINGER LAKES RACETRACK – 2010 TRACK & SIMULCAST LICENSE APPLICATIONS**

The New York State Racing and Wagering Board granted the Finger Lakes Racing Association, Inc. track and simulcast licenses for 2010.

The Board assigned the 163 racing programs requested on the dates specified and at the post times requested. The Board approved the plan relating to the Totalisator Room Security (Rule 5100.23[d]).

The 2010 track and simulcast licenses are conditioned upon the following:

- Compliance with all applicable provisions of the Racing, Pari-Mutuel Wagering and Breeding Law, Board rules and orders and directives of the New York State Racing and Wagering Board. These include but are not limited to the following:
  - a. Retransmission of your simulcast signal by authorized recipients to secondary recipients is not allowable without disclosure within the contract of the names and locations of all secondary recipients.
  - b. The Board has the authority to audit the out-of-state receiving site's books and records (including all secondary sites that receive your simulcast) and must be noted in any simulcast agreement entered into for your simulcast signal. Included within the agreement must be reference that the guest shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of your simulcast transactions, if not included within individual contracts, must be supplied to the Board.
  - c. Any agreement which you are party to is subject to the requirements of the host and guest states with any provision mandated by either jurisdiction with such provisions specifically incorporated into contract by reference. Both parties, including any Secondary Recipients, shall comply with the provisions of all-applicable Federal, State and local laws and regulations.
  - d. An SAS-70 Type II audit is to be performed for the current licensing period on the totalizator operations utilized and located at your facility. The report is to be filed with the Board no later than October 31, 2010.
  - e. Rule 5100.2(b)(1), which requires that the track's totalizator system be in compliance with Rule 5100.24(1)-Independent Monitoring System.

The Board certified to the Department of Taxation and Finance that Finger Lakes Racetrack has been assigned for 2010 the minimum number of pari-mutuel programs and pari-mutuel races that this thoroughbred racing corporation conducted during in 1985 or 1986 (whichever is less).

3. **TIOGA DOWNS – 2010 TRACK & SIMULCAST LICENSE APPLICATIONS**

The New York State Racing and Wagering Board granted the American Racing – Tioga Downs, Inc. track and simulcast licenses for 2010.

The Board assigned the 57 racing programs requested on the dates specified and at the post times requested. The Board approved the plan relating to the Totalisator Room Security (Rule 5100.23[d]) and granted a waiver from compliance with the 72-hour purse distribution requirement (Rule 4118.1[b]).

The 2010 track and simulcast licenses are conditioned upon the following:

- Compliance with all applicable provisions of the Racing, Pari-Mutuel Wagering and Breeding Law, Board rules and orders and directives of the New York State Racing and Wagering Board. These include but are not limited to the following:
  - a. Retransmission of your simulcast signal by authorized recipients to secondary recipients is not allowable without disclosure within the contract of the names and locations of all secondary recipients.
  - b. The Board has the authority to audit the out-of-state receiving site's books and records (including all secondary sites that receive your simulcast) and must be noted in any simulcast agreement entered into for your simulcast signal. Included within the agreement must be reference that the guest shall permit inspection of the totalizator facilities at the site where guest's wagers are subject to commingling and all related totalizator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of your simulcast transactions, if not included within individual contracts, must be supplied to the Board.
  - c. Any agreement which you are party to is subject to the requirements of the host and guest states with any provision mandated by either jurisdiction with such provisions specifically incorporated into contract by reference. Both parties, including any Secondary Recipients, shall comply with the provisions of all-applicable Federal, State and local laws and regulations.
  - d. An SAS-70 Type II audit is to be performed for the current licensing period on the totalizator operations utilized and located at your facility. The report is to be filed with the Board no later than October 31, 2010.
  - e. Rule 5100.2(b)(1), which requires that the track's totalizator system be in compliance with Rule 5100.24(1)-Independent Monitoring System.

4. **MONTICELLO RACEWAY – REQUEST TO WITHDRAW \$22,576.01 FROM CIF**

The New York State Racing and Wagering Board approved the Monticello Raceway request to withdraw \$22,576.01 from its Capital Improvement Fund for reimbursement of the following Capital Improvement Expenditures:

**Backstretch (100%)**

Purchase of a Truck for the Horse Ambulance	\$ 3,996.00
New Barn Roof – Barn C	\$13,452.03
Purchase of New Water Heaters, Barns A, C & K	\$ 1,222.85
Installation of New Barn Area Lights – Emergency	<u>\$ 3,905.13</u>
	\$22,576.01

Total Approved \$22,576.01

**5. SUFFOLK REGIONAL OTB – REQUEST TO OPEN NEW QWIK BET – MCCARTHY’S PUB – CENTEREACH, NY**

The New York State Racing and Wagering Board approved an amendment to the Suffolk Regional Off-Track Betting Corporation simulcast plan of operation authorizing the operation of a Qwik Bet simulcast facility located in Centereach, N.Y. at the Patricia Ann Cottage Pub, Inc. dba McCarthy’s Pub. This approval is effective immediately.

It is a condition of this approval that the wagering and simulcasting at this facility will be conducted in accordance with the terms of the operating agreement presented to the Board as well as all applicable statutes and Board rules, and that all wagering will be conducted through self-service terminals only.

The Board's approval to operate a Qwik Bet facility at this location shall expire and be of no force and effect in the event of any change in ownership or operation without the prior written approval of the Board.

It is expected that the Suffolk Regional Off-Track Betting Corporation will arrange for the occasional inspection of this facility to assure compliance with the plan of operation and relevant laws and Board rules, and certify to the Board on a periodic ongoing basis that the conduct of wagering at this facility is in compliance with the foregoing.

**6. SUFFOLK REGIONAL OTB – SIMULCAST RECEPTION SERVICE WITH ROBERTS COMMUNICATIONS NETWORK, INC.**

The New York State Racing and Wagering Board approved an amendment to the Suffolk Regional Off-Track Betting Corporation Plan of Operation to replace SUNY/New York with Roberts Communications Network, LLC for simulcast reception service effective March 1, 2010.

**7. IN THE MATTER OF BETH AARON SYNAGOGUE SISTERHOOD – SUMMARY SUSPENSION**

The New York State Racing and Wagering Board upheld the recommendation of designated hearing officer, Clemente J. Parente that the bingo identification number and municipal license to conduct bingo of Beth Aaron Synagogue Sisterhood be revoked based upon findings that the organization allowed the conduct of bingo by persons convicted of a crime in violation of General Municipal Law § 481.1 (a) and sold bell jar tickets without a games of chance license in violation of General Municipal Law § 195-k and 9 NYCRR §5820.24. Board Member Diamond abstained from voting on this matter.

8. **IN THE MATTER OF YESHIVA OHR YISROEL**  
The New York State Racing and Wagering Board upheld the action of designated hearing officer Clemente J. Parente that the bingo identification number and municipal license to conduct bingo of Yeshiva Ohr Yisroel be revoked and a total fine be imposed in the amount of \$3,000. This action was based upon findings that the organization violated General Municipal Law Sections 479.7 and 488 and Board Rule 5820.3 in that it used workers to conduct bingo occasions who were not members of the organization or an auxiliary, paid workers to conduct bingo in violation of General Municipal Law Section 479.8 and Board Rule 5820.6, and used bingo proceeds to pay workers to conduct bingo, in violation of General Municipal Law Section 495.5 and Board Rule 5820.36. Board Member Diamond abstained from voting on this matter.
9. **IN THE MATTER OF HENRY B. AGUILAR**  
The New York State Racing and Wagering Board upheld the recommendation of designated hearing officer Clemente J. Parente that the thoroughbred exercise rider license of Henry B. Aguilar be suspended based upon charged criminal acts, and deemed revoked if he is convicted of any of the charges. Board Member Diamond abstained from voting on this matter.
10. **IN THE MATTER OF RAFAEL HERNANDEZ**  
The New York State Racing and Wagering Board upheld the recommendation of designated hearing officer Clemente J. Parente that the thoroughbred stable employee license of Raphael Hernandez be revoked based upon his violation of Board Rule 4042.5(a) and (c) and lack of requisite character and fitness. Board Member Diamond abstained from voting on this matter.

**E. ITEMS FOR BOARD INFORMATION/DISCUSSION**

1. **INDIAN GAMING/LICENSING STATISTICS**  
Licensing statistics for January 1, 2010 through January 31 2010. Also included were the certifications for Oneida, Mohawk, Seneca Allegany, Seneca Buffalo and Seneca Niagara.
2. **GAMES OF CHANCE/BELL JAR TICKETS**  
List of bell jar tickets authorized/denied by the Charitable Gaming Unit between January 1, 2010 and January 31, 2010.
3. **GAMES OF CHANCE/BINGO REGISTRATION NUMBERS**  
List of Games of Chance and Bingo Registration Numbers authorized/denied by the Charitable Gaming Unit from January 12, 2010 thru February 5, 2010.
4. **LICENSING/CURRENT LICENSE COUNT**  
The current racing licensing counts as of January 31, 2010 since January 1, 2010 are as follows: total receipts 1,191 and total licenses 731 for the year 2010.
5. **2010 LICENSED SUPPLIERS**  
List of licensed suppliers – manufacturers’ and distributors’ licenses issued for the time period of January 1, 2010 through January 31, 2010.

**F. FOLLOW-UP ON ITEMS PREVIOUSLY APPROVED**

None.

**The meeting adjourned at 1:38 p.m.**